

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

C L O S E D

**KAZADI BIG MUSUNGAYI,**

**Plaintiff,**

**vs.**

**WHIRLPOOL CORPORATION,**

**Defendant.**

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**Case No. 2:08-CV-10800**

**Judge Anna Diggs Taylor**

**Magistrate Judge Paul J. Komives**

**ORDER  
GRANTING DEFENDANT'S MOTION TO TRANSFER VENUE AND  
DENYING DEFENDANT'S MOTION TO DISMISS [D/E 6]**

The Court, having received for filing Defendant's Motion To Dismiss Title VII Claim Pursuant to Fed.R.Civ.P 12(b)(3) or, in the Alternative, Transfer Venue Pursuant to 28 U.S.C. §1406(a), Motion to Transfer Remaining Claims Pursuant to 28 U.S.C. §1404(a), and Motion To Dismiss In Part Pursuant to Fed.R.Civ.P 12(b)(6), and having received and reviewed the Briefs of the parties, and having held a hearing on July 14, 2008, at which counsel for Whirlpool, and Plaintiff, appeared and presented argument,

IT IS ORDERED that Defendant's Motion to transfer venue is GRANTED. All claims shall be transferred to the United States District Court for the Northern District of Oklahoma for the reasons stated on the record. Defendant's Motion to dismiss pursuant to Fed.R.Civ.P 12(b)(3) and 12(b)(6) is DENIED.

IT IS SO ORDERED

DATED: July 22, 2008

s/ Anna Diggs Taylor

ANNA DIGGS TAYLOR

UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on July 22, 2008.

KAZADI BIG MUSUNGAYI  
P.O. BOX 52743  
TULSA, OK 74152

s/Johnetta M. Curry-Williams  
Case Manager